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# HOUSE CONCURRENT RESOLUTION

REQUESTING COLLABORATION TO UPDATE CHAPTER 343, HAWAII REVISED STATUTES, TO REFLECT ALL FACTORS THAT SHALL BE CONSIDERED FOR THE ENVIRONMENTAL IMPACT STATEMENT PROCESS, AND REQUESTING PUBLIC FORUMS TO BE HELD ON THE FUTURE USE OF STATE LANDS CURRENTLY LEASED TO THE MILITARY.

1           WHEREAS, the United States Army's sixty-five-year lease of  
2 approximately twenty-three thousand acres on Hawaii Island is  
3 scheduled to expire in August 2029; and  
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5           WHEREAS, different uses of those lands may be subject to  
6 the public review process set forth in Chapter 343, Hawaii  
7 Revised Statutes, regarding environmental impact statements; and  
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9           WHEREAS, historically, the military has contracted with  
10 private entities to study and draft the necessary documents to  
11 comply with the requirements of Chapter 343, Hawaii Revised  
12 Statutes; and  
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14           WHEREAS, these private entities have been incentivized to  
15 find that the proposed use of the land would have "no  
16 significant impact" because making that finding would encourage  
17 the military to use the services of the private entity in the  
18 future; and  
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20           WHEREAS, the entity determining whether the proposed use of  
21 the land would result in a significant impact should instead be  
22 an independent party; and  
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24           WHEREAS, Chapter 343, Hawaii Revised Statutes, should be  
25 amended to require a process that requires independent review in  
26 consideration of Hawaiian culture, engineering, the environment,  
27 design, and other concerns; now, therefore,  
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1 BE IT RESOLVED by the House of Representatives of the  
2 Thirty-second Legislature of the State of Hawaii, Regular  
3 Session of 2023, the Senate concurring, that the Environmental  
4 Advisory Council and Office of Planning and Sustainable  
5 Development are requested to collaborate with the University of  
6 Hawaii to update Chapter 343, Hawaii Revised Statutes, to  
7 reflect all factors that shall be considered for the  
8 environmental impact statement process; and  
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10 BE IT FURTHER RESOLVED that the Environmental Advisory  
11 Council and Office of Planning and Sustainable Development are  
12 requested to collaborate with all applicable departments,  
13 offices, and centers of the University of Hawaii in updating  
14 Chapter 343, Hawaii Revised Statutes, including the  
15 Hawaiiinuiakea School of Hawaiian Knowledge, College of  
16 Engineering, College of Tropical Agriculture and Human  
17 Resources, Department of Natural Resources and Environmental  
18 Management, and School of Architecture; and  
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20 BE IT FURTHER RESOLVED that to prevent incentivizing  
21 privately contracted entities from making findings of "no  
22 significant impact" or other findings beneficial to the  
23 applicant, the Environmental Advisory Council and Office of  
24 Planning and Sustainable Development are requested to include in  
25 their proposed legislation, provisions authorizing the Office of  
26 Planning and Sustainable Development or Department of Land and  
27 Natural Resources to, when necessary, appoint an independent  
28 contractor or another neutral party to prepare the environmental  
29 assessment and, if necessary, the environmental impact  
30 statement; and  
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32 BE IT FURTHER RESOLVED that the Environmental Advisory  
33 Council and Office of Planning and Sustainable Development are  
34 requested to submit a draft report of their findings,  
35 recommendations, and proposed legislation to the Legislature no  
36 later than twenty days prior to the convening of the Regular  
37 Session of 2024; and  
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39 BE IT FURTHER RESOLVED that the Environmental Advisory  
40 Council, Office of Planning and Sustainable Development, and  
41 Department of Land and Natural Resources are requested to gather



1 public comments on the report and proposed amendments to Chapter  
2 343, Hawaii Revised Statutes, by:

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(1) Posting the report and proposed amendments to  
Chapter 343, Hawaii Revised Statutes, on the Office of  
Planning and Sustainable Development's website and  
accepting written comments by email or other electric  
means; and

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(2) Holding at least one public forum in each of the  
counties; and

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BE IT FURTHER RESOLVED that by December 31, 2024, the  
Environmental Advisory Council, Office of Planning and  
Sustainable Development, and the Department of Land and Natural  
Resources are requested to hold public forums in communities  
near state lands that are currently leased to the military to  
solicit community input on the future use of those lands; and

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BE IT FURTHER RESOLVED that the Environmental Advisory  
Council and Office of Planning and Sustainable Development are  
requested to consider the public comments regarding the report  
and proposed amendments, consider the public comments regarding  
the future use of the state lands that are leased to the  
military, and submit a final report of their updated findings  
and recommendations and proposed legislation to the Legislature  
no later than twenty days prior to the convening of the Regular  
Session of 2025; and

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BE IT FURTHER RESOLVED that certified copies of this  
Concurrent Resolution be transmitted to the Chairperson of the  
Environmental Advisory Council, Director of the Office of  
Planning and Sustainable Development, and President of the  
University of Hawaii, who is then requested to transmit copies  
to the heads of the various departments, offices, and centers of  
the University of Hawaii mentioned in this measure.

